

with larger questions involving Darwin's legacy and the origins and pitfalls of biological determinism, ultimately it is less concerned with tracing a general theoretical lineage than with revealing more specific stylistic and thematic patterns in women's writing about nature. Gates's analysis of the cross-fertilisation of different scientific and non-scientific genres gives the reader a taste of the abundant fruit that resulted and also demonstrates the importance of a cultural history that examines the genetic makeup of a body of writing—nature writing—that continues to grow in importance today.

Alison Byerly

***Fiction and the Law: Legal Discourse in Victorian and Modernist Literature,*
by Kieran Dolin. Cambridge: Cambridge UP, 1999.**

This book is both a significant contribution to the criticism of Victorian fiction and a decisive intervention in the expanding field of Law and Literature. Dolin grounds his approach in both disciplines: he adduces Ian Watt and John Sutherland to suggest affinities or analogies between the methods of the trial and the novel and he shapes his own readings of literary texts according to the relationships between legal institutions and narratives theorised by Robert M. Cover, late Professor of Law at Yale. Brook Thomas, whose readings of nineteenth-century American literature in *Cross-examinations of Law and Literature* (1987) also draw on Cover, is something of a methodological precursor but the strengths of *Fiction and the Law* are attributable to the energy of Dolin's own analyses.

The book is organised as a series of six chapters on individual novels, from Scott's *The Heart of Midlothian* to Forster's *A Passage to India*, contextualised by two introductory chapters and a brief conclusion. The readings of the novels are unified by an ongoing dialogue or dialectic between the "narrative" and the "normative"—a term which derives from "Nomos and Narrative" an essay by Cover in the *Harvard Law Review* (1983) and which requires some explanation. Cover argues that the normative world we inhabit is known through narratives and is "constituted by a system of tension between reality and vision." It is with the explication of this tension, one version of which is the tension between legal and novelistic narratives, that Dolin is concerned. Cover's distinction between two aspects of *nomos*—the "imperial" or world-maintaining, and the "paideic" or world-creating—is the basis of Dolin's analysis of *Lord Jim*. As Marlow's normative world, an imperial one characterised by "fidelity to a certain standard of conduct," is challenged by Jim's case, so Marlow's ensuing epistemological crisis is also a normative crisis. Jim's attempt to establish a new order in Patusan is decidedly paideic but as Dolin's analysis of Jim the law-giver reveals, Jim's utopian fantasy "is formulated out of the facts of English imperialism," specifically the practice of James Brooke as Governor of Sarawak, and the "combination of idealism and cultural domination" that determined the law written for India by the British. The concept of *nomos* therefore unifies the novel, illuminates its conflicts—Dolin says superbly of Jewel's great scene with Marlow that its "dialogic articulation of the fears of both European and Eurasian is precise and prophetic"—and

explains its chaotic narrative denouement; in Dolin's words, "Brown revenges himself against Jim and simultaneously against the world of law from which he is a fugitive and which he so conspicuously finds embodied in Jim."

As I hope my account of *Lord Jim* suggests *Fiction and the Law* is historical as well as theoretical. The readings of *Bleak House* and *Orley Farm* are strongly contextualised. Dolin will convince anyone who thinks that the law in *Bleak House* has been done to death that it has in fact hardly been done at all for his analysis goes back to the Principles of Equity which are the heart of the Chancery jurisdiction, which Dickens recuperates as an alternative to Chancery, and which he represents in Esther Summerson's paideic vision. Dolin's discussion of *Orley Farm* breathes new life into that staple of Victorian fiction, the inheritance plot. He notes the contemporaneous publication (1861) of Henry Maine's *Ancient Law* whose "exploration of certain concepts and institutions of Roman Law, notably property, wills and succession, seemed to relieve some of the mid-Victorian sense of normative instability on precisely those subjects which are the staple of Trollope's fiction." This clearly explains why Maine's jurisprudential romance became a best seller. Dolin suggests that Trollope promotes the law of inheritance in an attempt to reconcile his conflicting desires for continuity and change; and Dolin also points out that the novel is further conflicted by its position on advocacy for while it deplors the morality of advocacy its narrative voice becomes an advocate for Lady Mason. He might have added that an integral aspect of Trollope's psychological realism is that his characters cross-examine themselves all the time (Furnival is a good example).

I have limited my discussion to the chapters of Dolin's book that deal with Victorian novels but the whole book should interest the Victorian specialist, and indeed the "modernist" of the title may be slightly importunate. Melville's *Billy Budd* is certainly an anomalous presence among English Victorian novels and is presumably included because of its centrality in the Law and Literature canon. The choice of texts needs more precise justification than is offered: "in the novels to be studied here, legal discourse is represented among many other language strata, and placed in dialogue with other public and private, authoritative and alternative discourses." But not only in these novels surely, it would have been nice to find for instance a sustained reading of a sensation novel (undoubtedly an alternative discourse). In order to critique, interrogate, or expand our sense of the Victorians' highly gendered sense of their normative world some novels by women ought also to have been included. *Mary Barton*, *North and South*, and *Felix Holt*—to say nothing of *Lady Audley's Secret* or even *Aurora Leigh*—all meet the criteria cited above. Having said all that, I should also acknowledge that Dolin's socially inflected readings frequently surprise and delight:

Both [*Orley Farm*] and *Bleak House* are concerned with wills and the disputed succession to property, but both incorporate industrial or commercial elements in ways suggestive of either hegemonic contest or hegemonic anxiety. The introduction of "iron" into the country serves to expose tensions in both novels: Mr Rouncewell the Ironmaster offers an energetic contrast to the languid Sir Leicester in a local version of bourgeois accession to power, while the bargaining

over Kantwise's iron furniture is a bitter Ruskinian comedy of modern debasement.

The brilliance of the configuration is that once it has been pointed out, it seems obvious; but I had never thought of Kantwise and Rouncewell quite like that.

The book is strategically priced at just under three figures (\$99). For that money you ought to get footnotes but the fact is that these days you don't. Endnotes are apparently Cambridge University Press policy: see Vanessa Smith's *Literary Culture and the Pacific* and Catherine Waters' *Dickens and the Politics of the Family* (both 1997). But each of these books has a bibliography, which *Fiction and the Law* lacks. This is deplorable, for Dolin has mined wonderful material from Victorian periodicals, and his range of reference to legal scholarship as well as literary scholarship in both English and non-English speaking cultures is vast. Was a bibliography too much trouble, or too expensive? Its absence undoubtedly cheapens the book. The index is largely nominal but although it does contain such legal concepts as "equity," "evidence," and "natural law," there are no entries for "narrative" or "modernism." The scholarship is sometimes far from impeccable. Albert Venn Dicey's *Lectures on the Relation between Law and Public Opinion in England During the Nineteenth Century* was published in 1905; the second edition came out in 1914. On page 40 Dolin refers to *Lectures on the Relation of* [not "between"] *Law and Public Opinion in England in* [not "during"] *the Nineteenth Century*; his subsequent quotation is then documented to *Lectures on the Relation Between Law and Opinion* [no "Public"] *in England During the Nineteenth Century*, second edition, 1913 [not 1914]. A suggestion made by Dicey that is alluded to on page 76 is footnoted to *Law* [no "Lectures on the Relation between"] *and Popular* [not "Public"] *Opinion in Nineteenth-Century England* [rather than "England During the Nineteenth Century"]. Very Dicey variations. The author should not have made such errors but editors too must earn their corn, especially at prestigious university presses, and these errors should not have found their way into print. There is an ambush for the unwary reader only three pages from the end: "effective and meaningful outcomes" is a gratuitous genuflection to the gospel of accountability whose impoverished language has no place in such a well-written and imaginative book as this.

The social landscape mapped by *Fiction and the Law* sweeps from William Blackstone's "noble pile" of the English law to Henry James's "house of fiction." It should engage all readers of nineteenth-century English fiction.

Simon Petch

Late-Victorian and Edwardian British Novelists: Second Series, edited by George M. Johnson. Dictionary of Literary Biography Vol. 197. Detroit: Gale Research, 1999.

Reviewing a book such as the 197th volume of the massive *Dictionary of Literary Biography* is a sobering task because it brings home to me the troubled publishing times we're going through. Probably most of us will have consulted at various times some of